

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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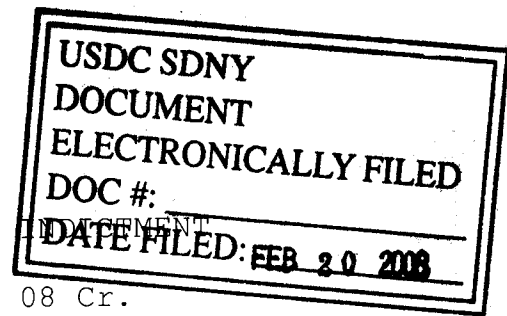
UNITED STATES OF AMERICA :

-v.- :

LAWRENCE L. POWELL, JR., :

Defendant.

-----x



08 Cr.

08 CRIM 139

JUDGE COTE

COUNT ONE

The Grand Jury charges:

1. From in or about October 2007, through in or about January 2008, in the Southern District of New York and elsewhere, LAWRENCE L. POWELL, JR., the defendant, being an employee of a Federal Reserve bank, member bank, depository institution holding company, national bank, and insured bank, and an organization operating under sections 25 and 25(a) of the Federal Reserve Act, unlawfully, willfully, and knowingly, did embezzle, abstract, purloin, and willfully misapply the moneys, funds, and credits of such bank, branch, agency, organization, and holding company, and moneys, funds, assets and securities intrusted to the custody and care of such bank, branch, agency, organization, and holding company, and to the custody and care of such agent, officer, director, and employee, in an amount exceeding \$1,000, to wit, POWELL, while employed as a personal banker by J.P. Morgan Chase Bank, N.A., withdrew funds from the accounts of customers of the bank, without permission from the holders of those accounts.

(Title 18, United States Code, Section 656.)

COUNT TWO

The Grand Jury further charges:

2. From in or about October 2007, through in or about January 2008, in the Southern District of New York and elsewhere, LAWRENCE L. POWELL, JR., the defendant, unlawfully, willfully, and knowingly and with intent to defraud, as part of an offense affecting interstate commerce, did use one or more unauthorized access devices during a one-year period, and by such conduct obtained things of value aggregating \$1,000 or more during that period, to wit, POWELL made unauthorized use of debit cards to withdraw money from J.P. Morgan Chase Bank, N.A. customers' bank accounts.

(Title 18, United States Code, Sections 1029(a)(2).)

COUNT THREE

The Grand Jury further charges:

3. From in or about October 2007, through in or about January 2008, in the Southern District of New York and elsewhere, LAWRENCE L. POWELL, JR., the defendant, unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in Section 1028A(c), to wit, POWELL transferred, possessed and used debit cards numbers of persons who had not authorized the use of such debit card numbers as charged in Counts One and Two of this Indictment.

(Title 18, United States Code, Sections 1028A and 2.)

FORFEITURE ALLEGATION

4. As a result of committing the offenses alleged in this Indictment, LAWRENCE L. POWELL, JR., the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the offenses charged herein, to wit embezzlement by a bank employee, access device fraud, and aggravated identity theft.

Substitute Asset Provision

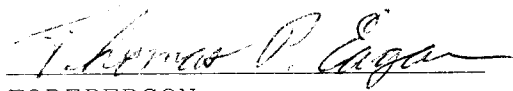
5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other

property of said defendant up to the value of the above
forfeitable property.

(Title 18, United States Code, Section 981,
Title 28, United States Code, Section 2461, and
Title 18, United States Code, Sections 1028A & 1029.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

LAWRENCE L. POWELL, JR.

Defendant.

INDICTMENT

08 Cr.

(18 U.S.C. §§ 2, 656, 1028A, 1029)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

Thomas P. Enga
Foreperson.

*Indictment filed, case assigned to Judge
Coh.*

F. Maas, USMS